United Nations S/2001/929

Security Council

Distr.: General
2 October 2001
English
Original: Arabic

Letter dated 1 October 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 29 September 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the continuing acts of piracy, terrorism and armed aggression being committed by United States warships against civilian vessels in the Arabian Gulf and to the fact that the elements involved assault and search crews and passengers on them and sometimes deliberately sink them. The latter happened to the vessel *Georgis* on 5 August 2001 after it had been held up by United States forces for 34 days.

The Minister conveys to you an appeal from the Government of Iraq that you should perform the duties entrusted to you under the Charter of the United Nations so that these outlawed terrorist practices may be ended and the United States of America may be held fully accountable for such acts of piracy. He states that Iraq reserves in full the inalienable right accorded to it by the Charter of the United Nations, the principles of international law and international custom to take whatever measures are necessary and, in accordance with the principle of State responsibility, to seek compensation for the moral and material damage caused by these acts of aggression and terrorism.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 1 October 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

United States warships based in the Arabian Gulf against the wishes of the peoples of the region are persisting in their acts of piracy, terrorism and armed aggression against vessels carrying civilian passengers and merchandise in the Arabian Gulf, searching them and assaulting their crews and passengers and sometimes intentionally sinking them. The latter happened to the vessel *Georgis*, which was detained by United States forces for 34 days with 12 seamen on board and was sunk by them on 5 August 2001.

One of the practices of the United States forces deployed in the Arabian Gulf is to intercept passenger ships operating on the sea route connecting the port of Jabal Ali in the United Arab Emirates and the port of Umm Qasr in the Republic of Iraq. The latest example of this was on 11 September 2001, when a group of 15 United States Navy personnel stormed a passenger vessel, mounted the bridge and forced all the members of the ship's crew to leave the wheelhouse. They forced the engineers to leave the engine room and searched it, photographed it and tampered with its contents. The members of this United States force had the temerity to go through the pockets of the crew members and to remove their papers and personal documents and take them to United States Navy vessels to be photographed.

The actions of the United States forces as they relate to civilian trade in the Arabian Gulf have exceeded all bounds. Despite the many letters addressed to you by the Government of the Republic of Iraq on this matter, the practices of United States naval units are becoming more aggressive and more intimidating. They include physical assault on those working on vessels and going through their pockets and stealing their contents. This constant piracy by the United States is a terrorist act that poses a threat to peace and security in the entire region, and it demonstrates contempt for the most elementary norms that govern conduct under international law.

United States military forces may argue that they find warrant in Security Council resolution 665 (1990) to engage in these acts of piracy, aggression and terrorism. This resolution, however, representing as it does a dangerous precedent in which the Security Council gives unlimited authorization to States "cooperating with the Government of Kuwait" to interfere with civilian trade, is not based on Chapter VII of the Charter of the United Nations and does not therefore make it permissible to use coercive military measures for its enforcement.

The acts of terrorism and aggression committed by the United States military forces that are deployed in the Arabian Gulf for the purpose of imposing the colonialist hegemony of the United States over the peoples of the region and the flagrant violation by these forces of the Charter of the United Nations, the norms of international law and the principles of the freedom of trade make it incumbent upon the United Nations to take the necessary measures to halt these illegal practices, end the acts of terrorism and demonstrations of force against civilian trade in which the United States of America engages in an ongoing manner in the waters of the Arabian Gulf and bring about the departure of United States warships and other forces from the Arabian Gulf region.

The Government of the Republic of Iraq urges you to discharge the responsibilities entrusted to you under the Charter of the United Nations so as to bring an end to these outlawed terrorist practices and so that the United States of America may be held fully accountable for all the damage caused by these acts of maritime piracy. The Republic of Iraq reserves in full the inalienable right accorded to it by the Charter of the United Nations, the principles of international law and international custom to take whatever measures are necessary and, in accordance with the principle of State responsibility, to seek compensation for the moral and material damage it has sustained as a result of these continuing acts of aggression and terrorism.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs of the Republic of Iraq